FORTY NINTH REPORT

COMMITTEE ON PETITIONS

(FOURTEENTH LOK SABHA)

MINISTRY OF CIVIL AVIATION

(*Presented to Lok Sabha on* 25.02.2009)

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COMPOSITION OF THE COMMITTEE ON PETITIONS

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FORTY NINTH REPORT OF THE COMMITTEE ON PETITIONS
(FOURTEENTH LOK SABHA)

INTRODUCTION

I, the Chairman, Committee on Petitions, having been authorized by the Committee to present the Report on their behalf, present this Forty Ninth Report of the Committee to the House on the following subjects:—

(i) Petition from Shri Anish J. Mitra, General Secretary, All India Alliance Air Employees Union & others regarding their grievances concerning employment etc.

(ii) Representation from Shri Amit J. Sharma, NACIL, New Delhi regarding fixation of *inter-se* seniority.

2. The Committee considered and adopted the draft Forty Ninth Report at their sitting held on 24th February, 2009.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;
24 *February*, 2009
5 Phalguna, 1930 (*Saka*)

SYED SHAHNAWAZ HUSSAIN,
Chairman,
Committee on Petitions.

CHAPTER-I

PETITION FROM SHRI ANISH J. MITRA, GENERAL SECRETARY, ALL INDIA ALLIANCE AIR EMPLOYEES' UNION, NEW DELHI REGARDING THEIR GRIEVANCES CONCERNING EMPLOYMENT ETC.

1.1 Shri Basudeb Acharia, MP, Lok Sabha in his letter dated 30th November, 2005 addressed to Hon'ble Speaker, Lok Sabha informed that he desires to present a petition signed by Shri Anish J. Mitra, General Secretary, All India Alliance Air Employees' Union, New Delhi and 651 others regarding their grievance on employment, including modalities of absorption, protection of pay and other service conditions. The petition was admitted and the same was presented by Shri Basudeb Acharia, MP in Lok Sabha on 4 August, 2006 **Annexure-I.**

1.2 In the petition, the petitioner *inter-alia* stated that they are employees of Alliance Air Limited, a wholly owned subsidiary of Indian Airlines Limited. The company started air services in April, 1996 by operating 12 Boeing-737 aircraft. Initially the Alliance Air had a total of 83 contractual staff and officers deputed by Indian Airlines. It also started employing casual labours in various Airports in India to which Alliance Air was operating. Thus, the entire work force consisted of deputationists from Indian Airlines, contract workers and casual labours. As of now the contractual workers employed by the Alliance Air numbers about 800 or more (excluding 250 casual labours appointed through private contractors). According to the petitioners, the Alliance Air, contrary to the principles laid down in the Constitution of India and Labour Laws, continues to employ contractual workers and casual workers to carry out jobs, which are of permanent and perennial in nature. The petitioners further stated that the qualification and experience of the employees of Alliance Air are at par with those in other Airlines. They have been working continuously with Alliance Air without any break. They are from the lowest strata of the society and the Government is duty bound to initiate steps towards their upliftment. The petitioners, therefore, requested as under:—

(i) that they may be treated as permanent employees of Alliance Air;

(ii) that the Alliance Air being a public sector unit be directed to abolish contract labour system and casual employment in jobs which are permanent and perennial in nature;

(iii) that the Ministry of Civil Aviation be instructed to take steps on induction of new fleet and provide for requisite number of pilots and technical personnel;

(iv) that the pay and allowances and perquities (like medical etc.) of employees of Alliance Air be made at par with Indian Airlines being a 100% subsidiary company; and

(v) that their Union be recognised.

1.3 The above petition was referred to the Ministry of Civil Aviation on 14.12.2005 to determine the admissibility of the petition under Direction 40(2) of the Directions by the Speaker, Lok Sabha.

1.4 The Ministry of Civil Aviation *vide* their O.M No.AV/18036/4/2006/1A dated 7th March, 2006 furnished the following replies:—

"As a matter of policy, employees in Alliance Air are engaged on fixed term contract basis for a specified period. The fixed term contract of the employees is extended from time to time. It may, however, be pertinent to mention that the fixed term employment agreement of the employees is invariably extended and due weightage is also given to the length of service rendered by them.

The problem of retaining /attracting crucial categories of employees *viz*. Pilots, Engineers, Technicians and Flight Dispatchers was discussed in a meeting taken by Secretary (CA) on 16.11.2005. The problem is mainly on account of the perception that Alliance Air offers no future and growth prospects. Besides, private airlines are seen to be offering better remuneration and career prospects. After detailed discussions, it was decided that after working out the modalities of absorption, determination of seniority, protection of pay and other service conditions, Indian Airlines would send formal communication to Alliance Air about the induction of Alliance Air co-pilots in Indian Airlines so as to enable them to go ahead with advertisement of the vacancy. Besides, the names of pilots to be deputed for training in Airbus Industry are also being finalized. As regards the induction of new fleet, Indian Airlines is in the process of purchase of 43 new aircrafts from Airbus Industry. Details about the type of aircraft, cost, delivery schedule etc. have all been worked out. A Purchase Agreement between Indian Airlines, Airbus Industry and CFM International has also been signed on 20.02.2006. As per the delivery schedule, the delivery would commence from November, 2006 and would be completed by March, 2010. As and when the delivery is made, induction of new aircraft in Alliance Air or transfer of a few existing fleet to Alliance Air would be decided.

Alliance Air, a wholly owned subsidiary of Indian Airlines Limited has its own pay structure and the employees are entitled to perks and allowances as per the policy of the Company. Alliance Air was established as a separate airline primarily with a view to achieve cost differentials compared to Indian Airlines. As such parity of wages of Alliance Air employees with that of Indian Airlines may not be feasible. It may also be mentioned that a medical scheme is being worked out for the employees of Alliance Air which is likely to be finalized in the near future.

There is no recognized union in Alliance Air. However, the management of Alliance Air has always maintained constant dialogue with individual employee on common work related issue. Issue raised by them is given due consideration and various improvements in work related conditions have

come out through such dialogues. It may be emphasized that growth and well being of employees has always been the primary concern of the Management."

1.5 After receipt of comments from the Ministry of Civil Aviation, the above petition was admitted under Rule 160 (iii) of the Rules of Procedure and Conduct of Business in Lok Sabha. Shri Basudeb Acharia, MP presented the petition to Lok Sabha on 4th August, 2006. In accordance with Rule 169 of the Rules of Procedure and Conduct of Business in Lok Sabha, the Committee took up for examination the above petition.

1.6 The Committee desired to know the background leading to creation of Alliance Air and core activities of the organization, composition of staff (both technical and non-technical), terms and conditions of employment of employees, wage structure, etc. The Ministry of Civil Aviation in their written reply stated as under:—

"Consequent to the Government decision permitting private airlines to operate the air services in the early 1990's a number of private airlines commenced operation. Over 160 Pilots left Indian Airlines which resulted in acute shortage of commanders/ instructors leading to a sharp decline in aircraft utilization. As some of these private companies closed, pilots were available in the market. The settlement with Indian Commercial Pilots Association did not permit lateral entry of commanders from the open market. As a turn around solution, due to the shortage of commanders, Airline Allied Services Limited was re-vitalized and the Boeing fleet of Indian Airlines transferred to it on lease for operations under Alliance Air brand. Alliance Air was able to take the pilots from the open market on contract to operate the Boeing fleet.

Thus, Indian Airlines Boeing pilots were released for deployment on the Airbus fleet. The Boeing fleet could also be gainfully employed by taking pilots from the open market."

Core Activities of the Organization

Initially, Alliance Air operated the Boeing 737 fleet leased from Indian Airlines. Following the phase out of the passenger version and conversion of some aircraft to freighter, Alliance Air currently operates 5 B- 737 freighter on behalf of the parent company. Under an MOU with the North East Council Alliance Air operates a fleet of 4 leased ATR-42 aircraft exclusively in the North East to provide air connectivity in the region. In addition Alliance Air operates 3 Regional Jets and 3 ATR-42 aircraft for enhancing Intra Regional and Inter Regional connectivity.

Personnel Matters

Alliance Air currently has 721 employees on its roll. 39 staff/ officers from NACIL are also with Alliance Air on deputation for smooth and coordinated running of operation of Alliance Air with the parent company.

The employees of Alliance Air are engaged on fixed term employment basis for three to five years duration. The wage structure of different categories of employees of Alliance Air is given at **Annexure-II**.

Further, as desired by the Committee, the Ministry also furnished the statements indicating category-wise break up of employees engaged on contract basis and fixed term basis **Annexures-III, IV**.

1.7 On being asked to state the rationale to engage employees on fixed term contract basis and extension of contract period, the Ministry of Civil Aviation in their written reply stated as under:—

"Alliance Air was set up to function as a lean and thin organization and to have a competitive and low cost organizational structure. The employees of Alliance Air excepting those on deputation are engaged on fixed term employment agreement basis for three to five years duration. The extension of contract is based on requirement and performance of the employee."

1.8 When asked to state whether the employees appointed on contract basis had ever approached court requesting for permanent absorption in Alliance Air Limited, the Ministry of Civil Aviation in their written reply stated as under:—

"No employee engaged on fixed term employment agreement basis has ever approached the court requesting for permanent absorption in Alliance Air. However, one Ms. Chitra Sharma, Senior Cabin Crew, filed a writ petition in the High Court of Delhi for restoration of her check-ship. In the same writ petition she also prayed to discontinue the practice of appointing the petitioner on contract basis as the post of Senior Cabin Crew is of permanent nature. Later on, at the time of final argument her advocate restricted his argument in respect of restoration of her check-ship only. The High Court in its final order has also only taken cognizance of the prayer for restoration of check-ship and opined accordingly."

1.9 On being asked to explain their views about engagement of contract workers to perform work of permanent nature in Alliance Air, the Ministry in their written reply stated as under:—

"As a matter of policy, employees are engaged in Alliance Air on fixed term employment basis for three years to five years duration, which is generally renewed from time to time subject to performance of the employees and the length of service rendered by them. This is a conscious policy with the objective of keeping the operational cost of the company at a competitive level. In order to have a coordinated functioning with the parent company and to maintain continuity, certain key employees are taken on deputation."

1.10 When asked to state the nature of duties being performed by casual workers and contract workers and whether these workers were engaged directly by Alliance Air Limited, the Ministry in their written reply stated as under:—

"Utility hands/ Drivers are engaged in Alliance Air through service provider to carry out day to day routine work and they are paid not less than the minimum wages as per Minimum Wages Act. Employees who are taken on fixed term employment agreement are assigned to the different departments of the Company for day to day running and functioning. Their emoluments are

defined in the fixed term employment agreement, which is signed and agreed to by the employee."

1.11 On being asked to state whether the employees of Alliance Air were getting less pay, allowances and other facilities as compared to their counterparts in Indian Airlines, the Ministry in their written reply stated as under:—

"It is stated that salary structure of Alliance Air employees is different from that of erstwhile Indian Airlines Limited. Employees are engaged in Alliance Air on fixed term employment agreement basis. Alliance Air was established as a separate Airline primarily with a view to achieve cost differential compared to Indian Airlines. As such parity of wages of Alliance Air employees with that of Indian Airlines may not be feasible."

1.12 The Committee desired to know the fate of the employees who were working with Alliance Airlines in the wake of the amalgamation of Air India and erstwhile Indian Airlines into a new entity *i.e.* National Aviation Company of India Limited (NACIL), the Ministry in their written reply stated as under:—

"Airlines Allied Services Limited (AASL) is now a fully owned subsidiary of NACIL. The employees of AASL continue as employees of AASL as per their fixed term employment agreement."

1.13 When asked to furnish separate information of employees on permanent roll of the Airlines and employees who were deployed on casual/contract basis, the Ministry in their written reply stated as under:—

"There is no permanent employee in Alliance Air. Employees in Alliance Air are engaged on fixed term employment agreement basis, taken on deputation or deployed by the contractors. Category-wise break-up of these employees as on 01.08.2008 are given at **Annexure-V."**

1.14 When querried about retaining Pilots, Engineers, Technicians, etc., and induction of Alliance Air co-pilots, the Ministry in their written reply stated as under:—

"In pursuance of erstwhile IA's letter dated 25th November, 2005, it has been decided that Commanders on B 737 aircraft working in Alliance Air should be given option to join as Senior Trainee Pilot with applicable age relaxation and follow the career progression pattern as applicable to erstwhile Indian Airlines Limited Pilots. In case the Commander on B 737 aircraft of Alliance Air who decided not to exercise such option, would be retained in Alliance Air and trained for endorsement on A 319 aircraft. On getting the license endorsement on A 319 aircraft they would be deployed for operating domestic flights only for Indian Airlines Limited.

Thereafter, erstwhile IAL *vide* another letter dated 8th December, 2005 informed Alliance Air that it has also been decided that Co-pilots engaged on contractual basis by Alliance Air on Boeing 737 aircraft will be offered appointment to join Indian Airlines Limited as Senior Trainee Pilot through the laid down selection process. Applicable relaxation in eligibility criteria will however be

allowed to them and on joining IAL, they will follow the career progression pattern as applicable to Indian Airlines Limited Pilots.

In response to the above, only three B737 Pilots of Alliance Air applied for the post of Senior Trainee Pilot in erstwhile Indian Airlines Limited. After due selection process, they were selected and inducted in erstwhile IAL in February, 2006.

Another notification was issued in February, 07 inviting application for Sr. Trainee Pilots. But no application was received."

1.15 About induction of new Aircrafts from Airbus Industry by 2010, the Ministry in their written reply submitted as under:—

"The Government approved Indian Airlines proposal for acquisition of 43 aircraft on 29th September, 2005. An agreement was executed with Airbus Industries and CFM on 26th February 2006. Out of the 43 new airbus family aircraft project, erstwhile Indian Airlines inducted 6 A319 and 10 A 321 aircraft as per following details:

Sl. No.	Type of Aircraft	Aircraft Registration No.	Month of Arrival
1.	A319	VT-SCF	October 2006
2.	A321	VT-PPA	July 2007
3.	A321	VT-PPB	August 2007
4.	A321	VT-PPD	August 2007
5.	A319	VT-SCG	October 2007
6.	A319	VT-SCH	October 2007
7.	A319	VT-SCJ	November 2007
8.	A319	VT-SCI	December 2007
9.	A321	VT-PPE	December 2007
10.	A321	VT-PPF	December 2007
11.	A319	VT-SCK	December 2007
12.	A321	VT-PPG	January 2008
13.	A321	VT-PPH	April 2008
14.	A321	VT-PPI	June 2008
15.	A321	VT-PPJ	July 2008
16.	A321	VT-PPK	August 2008

Rest of the aircraft would be delivered as per the following schedule:

2008	3
2009	17
2010	7"

1.16 Subsequently, the Committee took oral evidence of the representatives of the Ministry of Civil Aviation on 22.08.2008. Explaining the position, the Additional Secretary, during oral evidence stated as under:—

"The Alliance Air came up at the time of Open Sky Policy in 1990 when many pilots had left thinking that the private sector would give them a lot of opportunity. But when that did not happen, they wanted to return. However, by then lateral entries would have been difficult. It was thought that a lean and trim organization, which will take care of low-cost flying, could be formed. That is how the Alliance Air was formed. The conceptual philosophy was that people would be taken on contract basis as and when necessary because the mother company was the Indian Airlines and they would depute people to the Alliance Air. They continued to be in that context. They continued to be contract workers with the fixed term of employment. They are given extension. Basically the contract period is for three to five years. They are given extension based on their performance, the requirement of the Alliance Air as well as weightage is given to their service."

1.17 Replying to the question about engagement of employees on contract basis in Alliance Air, the witness during evidence stated as under:—

"The rationale for adopting the policy to engage employees on fixed term contract basis was to retain it as a flexible to adoptability and flexibility of manpower and to keep it trim. The criterion for extension of the period was three to five years and depending on the requirement, performance and weightage of service, they have continued. As on today, we have 721 employees on the rolls. They are all on contract. Some of them are casual labourers, but they are outsourced labourers. There are 39 staff of the Alliance Air who are on deputation from the Indian Airlines. The idea behind keeping people from the Indian Airlines is because, after all, it is a parent company, and to have a coordinated functioning of the Alliance Air, the deputationists continue with the Alliance Air. The third question asked in this context is whether there was any case pending regarding their employment conditions and regarding permanent absorption. At present, as per my information, there is no case pending in the court regarding the permanent absorption. The nature and duties being performed by the casual labourers and the contract workers is that casual labourers were used for utility and they were used as drivers while the contract workers are for the day to day working of the company and the deputationists were on the senior managerial positions of the company. As per the contract terms, there is a fixed term employment agreement which is signed by the employee. So, it is known as to what he is going to get and based on that the contract is continued. Of course, for the casual labourers, it is basically keeping in view the Minimum Wages Act.

Now, there was a question whether the employees of Alliance air were getting less pay, allowances and other facilities as compared to the Indian Airlines. Now the philosophy behind Alliance Air was to keep it trim and lean and the idea was to continue to have it on a contract basis. So whatever was the pay

structure at that time, it is independent of what the Mother Company or the Indian Airlines had; just as each company has its own wage policy, this also has its own pay structure and wage policy and basically on the contract basis. There was a question which was raised earlier whether there was any chance of giving parity with Indian Airlines. We found that it was not feasible and that has been replied to the Committee also. Of course, in the present situation of the merger of the NACIL, they will have to take a commercial decision as to how to decide on the wage structure, if necessary."

The witness further stated as under:—

"As part of the scheme of amalgamation, they continue to be a subsidiary and they continue to be on the contract basis. NACIL as a new entity, keeping in view the industry's conditions and necessities, they will have to take a view as to how to handle this subsidiary in its nature. There is nobody on the permanent roll. They are either contract or casual labour and the third one is the deputationist. These are the three categories."

1.18 The Committee desired to know whether any judgement has been pronounced by the Hon'ble Supreme Court on Alliance Air. Replying to this, the witness during oral evidence stated as under:—

"Neither any matter has been pending in the Supreme Court nor has any judgement been pronounced pertaining to Alliance Air. However, the matter of 'Short Haul Operation' of Vayudoot is lying pending. We have been deploying contract work force from beginning."

The witness also stated:

"Orders have been placed for 43 aircrafts. They are in the category of 4 aircrafts on the 320, 19 aircrafts on 319 and 20 aircrafts on 321. As this was placed in 2006, the delivery was expected from 2006 on a staggered manner and the delivery is supposed to be finalized between 2006 and 2010. The delivery schedule is maintained over this period. Hitherto, 15 aircrafts have been delivered—six of them are 319 category and nine are of 321 category."

1.19 In reply to a question about permanent absorption of employees of Alliance Air into Indian Airlines, the witness during oral evidence stated as under:—

"A discussion on permanent absorption has to be taken. The NACIL will have to take a decision. Whether it is to be absorbed or not, because the present NACIL and in the current scenario after the merger, all these points will be taken into account before taking any commercial decision. That will be the NACIL's decision."

1.20 About recognition of union the witness during oral evidence stated as under:—

"There is no such recognized union, but we keep on having dialogues with them. We are in continuous dialogue with its staff, but I came to know from the representative of Airlines that there is also no request for the Union."

Observations/Recommendations

1.21 The Committee note that in 1990, the Government of India decided to permit private airlines to operate air services. The Alliance Air was formed in the wake of Open Sky Policy and it started air services in April 1996 as a subsidiary of Indian Airlines Limited. The primary objective of establishing the Alliance Air was to achieve cost differential as compared to Indian Airlines.

1.22 The petitioners have submitted that Alliance Air, a wholly owned subsidiary of Indian Airlines Limited started air services in April 1996 by operating 12 Boeing 737 aircraft. Initially Alliance Air had a total of 83 contractual staff and officers deputed by Indian Airlines. It also started employing casual labourers for various airports. Thus, the entire work force consisted of persons on deputation, casual and contract workers. These employees were performing jobs of permanent and perennial nature. The qualifications and experience of employees in Alliance Air are equal to employees in other Airlines. Further, they have been working continuously with Alliance Air. Even then, they have been getting less pay and allowances as compared to employees in Indian Airlines. The petitioners, therefore, requested as under:—

- **(i) that they may be treated as permanent employees of Alliance Air;**
- **(ii) that the Alliance Air may be directed to abolish contract labour system and casual employment in jobs which are permanent and perennial in nature;**
- **(iii) that the Ministry of Civil Aviation may be instructed to take steps on induction of new fleet and provide for requisite number of pilots and technical personnel;**
- **(iv) that the pay and allowances and perquisites (like medical etc.) of employees of Alliance Air may be at par with Indian Airlines being a 100% subsidiary company; and**
- **(v) that their Union may be recognised.**

1.23 In its reply, the Ministry of Civil Aviation informed the Committee that Alliance Air was established as a separate airline primarily to achieve cost differentials as compared to Indian Airlines. As a matter of policy, the employees in Alliance Air are engaged on fixed term contract basis for a period ranging from three to five years. The contract is invariably extended based on length of service, requirement of Alliance Air and performance of the employee. The Ministry of Civil Aviation further informed that Alliance Air, a wholly owned subsidiary of Indian Airlines, has its own pay structure and the employees are entitled to perks and allowances as per the policy of the Company. According to the Ministry, since Alliance Air was established as a separate airline to achieve cost differentials, parity of wages of employees of Alliance Air with that of Indian Airlines may not be feasible. Further, the Ministry informed that a medical scheme for the employees of Alliance Air is being worked out, which is likely to be finalized in the near future. As regards recognition of Union, the Ministry informed that there is no recognized Union in Alliance Air. However, management of Alliance Air has maintained constant dialogue

with employees on common work related matters and issues raised by them are given due consideration, which has resulted in various improvements in the functioning of the Airlines.

1.24 About retention of Pilots, Engineers, Technicians and Flight Dispatchers, the Ministry informed the Committee that the Secretary (CA) discussed the matter on 16 November 2005, wherein it was decided that after working out the modalities of absorption, determination of seniority, protection of pay and other service conditions, Indian Airlines would send formal letters to Alliance Air about induction of Alliance Air Co-pilots in Indian Airlines. Besides, the names of pilots for training in Airbus industry are also being finalized.

1.25 The Committee note that erstwhile Indian Airlines has worked out an agreement with Airbus Industry for purchase of 43 new aircrafts. As per the agreement, the delivery would commence from November 2006 and would be completed by March 2010. The Committee note with satisfaction that out of 43 new aircrafts proposed to be inducted in erstwhile Indian Airlines, 19 aircrafts have already been delivered and the remaining 24 aircrafts are expected to be delivered by 2010. In view of the positive measures undertaken by Indian Airlines the demand of the petitioners appears to have been fulfilled.

1.26 About the request of the petitioners for permanent absorption in Alliance Air, the Ministry of Civil Aviation has informed the Committee that the Alliance Airlines has taken a conscious decision to engage employees either on deputation basis or casual/contract basis. The fixed term contract is extended from time to time by giving due weightage to length of service rendered by the employee, his/her performance and requirement of the Alliance Air. There are no employees on the permanent roll of the company. Currently, Alliance Air has 721 employees on contract basis and 39 staff/officers are on deputation from National Aviation Company of India Limited (NACIL). The Committee note that though Alliance Air has been in operation for the last 13 years, the Company continues to engage employees on contract and deputation basis. Obviously, the company has not framed any recruitment policy to manage the affairs of Alliance Air. In the opinion of the Committee, engagement of employees on contract/deputation basis is purely an *ad hoc* **arrangement and should not be resorted to in case of jobs which are of permanent/ perennial nature since such a practice may prove to be disadvantageous to the organization in the long run. This situation should not, therefore, continue indefinitely. The Committee feel that the request of the contract workers for their regular absorption cannot be rejected merely on the ground that they are contract workers. Further, Alliance Air is now a fully owned subsidiary of NACIL. So, in the changed scenario, the Committee recommend that Ministry of Civil Aviation should frame a long-term policy including recruitment rules and service conditions to manage the affairs of Alliance Air. The Committee also desire that for any recruitment in the interim period, the employees working on contract/ casual may be given priority.**

1.27 Another grievance of the petitioners relates to parity of pay, allowances and perks with employees of erstwhile Indian Airlines. The Committee find that Alliance Air has been paying emoluments to its employees on contractual basis and the casual

workers are being paid as per the Minimum Wages Act. According to the Ministry, parity of wages of Alliance Air employees with that of Indian Airlines may not be feasible. A comparative study of figures in various categories, as given to the Committee, reveals wide disparities of emoluments between employees of Alliance Air and Indian Airlines. For example, a cabin crew in Alliance Air receives a minimum gross earnings of Rs.8,900/- per month whereas in Indian Airlines he gets Rs.14,138/- per month. Similarly, a Deputy Manager and Manager in Alliance Air receives a minimum gross earnings of Rs.16,015/- p.m. and Rs.17,413/- per month respectively whereas his counterparts in Indian Airlines gets Rs.20,888/- and Rs.22,643/-p.m. respectively. Further, the salary structure of Technicians also differs in both organizations. In Indian Airlines, a Technician's earning at the minimum of the scale is Rs.14,841/-p.m. whereas in Alliance Air, a Technician receives Rs.10,428/- per month. The Ministry of Civil Aviation have justified the disparity on the ground that in Alliance Air, employees are engaged on contract basis whereas in Indian Airlines, the employees are appointed on regular basis. The Committee feel that such glaring disparities between analogous posts in two airlines under some PSU *i.e.* NACIL often lead to discontentment amongst employees. Such a situation may not be conducive for healthy working environment.

1.28 The Committee are unhappy to observe that the present situation is leading to deprivation of equality of pay and allowances to the employees performing same jobs as amply established by the fact that many employees of Alliance Air working on contract basis are on deputation to Indian Airlines and at the same time a number of employees of Indian Airlines are serving in Alliance Air on deputation basis. The Committee, therefore, recommend the Ministry to immediately take necessary measures to rectify this anomalous situation. The Committee are of the view that the objective of parity in pay and allowances of the employees of Alliance Air with erstwhile Indian Airlines could be achieved by permanent absorption of the affected employees in NACIL. The Committee, therefore, recommend the Ministry to take urgent steps in resolving this issue and apprise them about the conclusive action in the matter within a period of three months.

1.29 The Committee have been informed that a medical scheme for the employees of Alliance Air is being worked out which is likely to be finalized in the near future. The Committee regret to note that Alliance Air does not have any medical scheme for its employees though it started air services in April, 1996. It only proves the casual approach of the management towards the welfare of its employees. The entitlement of medical facilities for the employees is a basic tenet of any organization. Therefore, the Committee recommend that the medical scheme for the employees may be finalized on priority basis in a time bound manner and all the employees may be extended the benefit of the scheme. The Committee would like to be apprised in the matter within a period of three months.

1.30 About the recognition of the union, the Ministry have informed that there is no recognized union in Alliance Air. In fact, recognition of union is one of the requests of the petitioners. The Committee feel that the existence of a recognized Union enables the employees to achieve their common goal in prominent and recognized

areas such as wages, working conditions, working hours etc. Therefore, the Committee strongly recommend that Ministry of Civil Aviation may issue immediate instructions to NACIL to take positive steps to facilitate recognition of union for the employees of Alliance Air.

CHAPTER II

REPRESENTATION OF SHRI AMIT J. SHARMA, AN EMPLOYEE OF NACIL, INDIRA GANDHI INTERNATIONAL AIRPORT, NEW DELHI REGARDING FIXATION OF INTER-SE SENIORITY

2.1 Shri Amit J. Sharma, an employee of National Aviation Company of India Limited (NACIL) submitted a representation dated 11.02.2008 to the Committee on Petitions. In his representation, the petitioner *inter-alia* stated as under:—

(i) The Ministry of Civil Aviation merged Vayudoot Limited in 1993 and created a separate department namely, Short Haul Operation Department (SHOD) on 24.05.1994.

(ii) For career progression, the employees of SHOD represented to the Ministry of Civil Aviation. To sort out the issue, the Secretary, Ministry of Civil Aviation took a meeting on 29.02.2000 with Indian Airlines Limited (IAL) management and SHOD representatives. In the meeting it was decided to merge seniority of SHOD employees with IAL management *w.e.f.* 10.03.1998 on voluntary basis. Accordingly, the notification for voluntary seniority merger of *inter-se* seniority of SHOD employees from 10.03.1998 were issued. In accordance with the above orders most of the SHOD employees opted to merge their seniority with mainstream employees of IAL.

(iii) Some employees of SHOD who did not exercise the option and decided to remain in SHOD, sought clarifications before signing the option for merger of seniority. However, no satisfactory reply was received. Those SHOD employees have not been given percentage based time bound promotion (Grade-9) in SHOD by IAL.

(iv) They met the Director (Personnel) IAL in July 2005 who assured that their problem would be resolved and advised them to opt for merger. IAL did not give them any career progression.

(v) The Personnel Department issued the notification mergering their seniority in IAL *w.e.f.* 01.06.2006 instead of 10.03.1998 thereby adversely affecting their career. The employees submitted a representation for re-consideration of orders.

(vi) They met the Director (Personnel) who stated that their representation has been considered and accepted by IAL and formal order for seniority *w.e.f.* 10.03.1998 instead of 01.06.2006 would be issued.

(vii) However, no orders have been issued so far.

(viii) The decision regarding compulsory merger of seniority from 01.06.2006 instead of 10.03.1998 has adversely affected their service career. According

to the petitioner, the management of IAL are responsible for not resolving the issue mutually and have arbitrarily issued order for merger of seniority from 01.06.2006.

The petitioner, therefore, requested the Committee on Petitions to resolve the issue.

2.2 The Committee under Direction 95 of the Directions by the Speaker, Lok Sabha took up the above representation for examination. Accordingly, the representation was forwarded to the Ministry of Civil Aviation on 08.05.2008 requesting them to furnish their comments on the issues raised in the representation.

2.3 The Ministry of Civil Aviation *vide* their O.M No.18050/24/2008 IA dated 09.06.2008 informed as under:—

"The then Secretary, Ministry of Civil Aviation had taken a meeting on 10.03.1998 and it was decided in principle to merge the seniority of SHOD employees in to the mainstream of IAL on voluntary basis. Consequent upon this decision, IAL had issued a notification on 5th February, 2001 inviting applications in the prescribed format from non-technical categories of SHOD employees (including Executives and Officers) to exercise their option for merger of seniority with the mainstream of IAL at the bottom of the relevant pay scale as on 10.03.1998. It was specifically mentioned that employees who opt to remain in SHOD shall forfeit all claims for such merger. They will be retained in SHOD and offered time bound promotions as per their career progression.

In response to the notifications, a majority of SHOD employees had exercised their option for merger of their seniority, some others made representations seeking certain clarifications on the same. It was clarified *vide* notification dated 23rd March, 2001 and these employees were given another opportunity for exercising their option within 10 days of the issuance of the notification. Even after this, a substantial number of employees were still left who had not exercised their option or had given their option after the last date was over. It was, therefore, decided to give these employees a last opportunity for exercising their option by 15th September, 2001. All the SHOD employees who did not volunteer/ opt for merger of their seniority into the mainstream of IAL (all categories including Officers/Executives/Technicians and Non-Technical Employees) were retained in SHOD and considered for time bound promotions wherever applicable in SHOD.

Representations were subsequently received from various employees of all cadres of SHOD who had not opted for merger on earlier occasions, requesting for merger of their seniority. In this regard, IAL had stated that those who had opted for merger from the original date, were considered for career progression in their respective cadres after they had completed the requisite qualification in IAL after the date of merger *i.e.*10.03.1998.

On a legal reference, IAL had been advised on 12.04.2005 that since only 37 employees were left in SHOD, that it can *suo-moto* merge their seniority

with IAL by placing them at the bottom of the respective grades/scales, as has been done in other cases. The same was, however, subject to the outcome of the LPA No.647-649 filed by IAL. The judgement in LPA upheld the decision of the Company and subsequently by the Hon'ble Supreme Court of India.

The matter was again examined in June 2006 by IAL and it was decided to merge the seniority of the then remaining 32 SHOD employees into the mainstream of IAL *w.e.f.* 1st June, 2006 and they will be placed at the bottom of the seniority of the respective cadre/scale of pay as on 01.06.2006. Instructions were issued to the Regions accordingly on 13.07.2006. Thereafter representations were received from some of these SHOD employees that their seniority should also be merged *w.e.f.* 10.03.1998. The matter was again examined and keeping in view the decision of the Hon'ble Supreme Court of India, the same was once again referred to the Legal Advisor, who opined that allowing merger of seniority retrospectively in favour of general category of SHOD employees who did not opt for merger pursuant to notification dated 05.02.2001, would lead to anomalous situation. It was further opined that "if their seniority is merged below the last erstwhile SHOD employees, who had opted for merger in a particular cadre, the same would also create disparity *vis-à-vis* the mainstream employees, which now consists of employees of IAL and SHOD who opted for merger.

It may therefore be appreciated that if it is now decided to accede to the request of the representationists, it would not only be against the spirit of the judgement delivered by the Hon'ble Supreme Court of India but would also open a flood gate of representations from all those who had opted for merger, as they would be put to a disadvantage by the above decision. Not only this, the employees of mainstream of Indian Airlines Limited are also likely to raise objection to this. In view of the judgement delivered by Hon'ble Supreme Court of India and the opportunities given to the SHOD employees for exercising their option for merger of their seniority with Indian Airlines mainstream, it is not possible for National Aviation Company of India Limited (erstwhile Indian Airlines) to consider merger the seniority of remaining SHOD employees from 10.03.1998."

2.4 The Committee desired to know the reasons for creation of a separate department namely Short Haul Operation Department (SHOD) and its activities. The Ministry in their written reply dated 15.01.2009 stated as under:—

"In a meeting held under the Chairmanship of Secretary, Civil Aviation in April, 1994, it was decided that Vayudoot would operate as a separate Cell within erstwhile IAL and as a separate profit Centre. IAL, therefore, completed the absorption of employees of Vayudoot by creating a clearly identifiable separate division of IAL in the name of Short Haul Operations Department (SHOD). Short Haul Operation Department (SHOD) was created primarily to have a clearly identifiable separate Division for Vayudoot employees. No specific functions/activities were assigned to SHOD."

2.5 When asked whether it was not possible to merge the employees of erstwhile Vayudoot Limited with Indian Airlines Limited instead of creating a separate Department, namely SHOD, the Ministry in their written reply stated as under:—

"The merger of Vayudoot with erstwhile Indian Airlines was strongly opposed by the Unions/Associations of erstwhile IAL. As such it was decided to create a separate Department (SHOD) in erstwhile IAL for the employees of Vayudoot."

2.6 In reply to a question about the demands put forth by the employees of SHOD before Indian Airlines Limited/Ministry of Civil Aviation, the Ministry stated as under:—

"(i) Vayudoot employees should be absorbed in IAL without any delay.

(ii) They should be provided adequate workload.

(iii) Anomalies in wage structure of Vayudoot employees be removed.

A Committee was constituted to go into the entire gamut of issues related with absorption of employees of Vayudoot Limited."

2.7 The Committee were informed that the Ministry was advised on 12.04.2005 to merge the left over 37 persons of SHOD with Indian Airlines Limited and place them at the bottom of their respective grade/scale. The same was, however, subject to the outcome of LPA No.647-649 filed by Indian Airlines Limited. Therefore, the Committee desired to know the gist of the above LPA. The Ministry in their reply informed as under:—

"In 1993, a decision was taken by the Ministry of Civil Aviation & Tourism, to merge Vayudoot Limited with Indian Airlines. Subsequently, in the year 1994, it was also decided that the employees of erstwhile Vayudoot Limited be absorbed into Short Haul Operation Department (SHOD) of Indian Airlines by giving certain relaxation. Thereafter in a meeting held on 10.03.1998 in Ministry of Civil Aviation, it was decided to merge the seniority of SHOD employees in the mainstream of Indian Airlines. Certain Modalities were decided in respect of various categories of employees of SHOD. Finally, on 06.04.2000, it was decided to complete the exercise in a time bound manner.

Accordingly, on 05.02.2001, Indian Airlines issued Notifications which clearly stated that those employees of SHOD in the general category who are desirous of merger of their seniority in the mainstream of Indian Airlines will be placed at the bottom as on 10.03.1998 of the respective grade/pay scale with the protection of past service on a voluntary basis. Such employees were asked to exercise their option for merger of their seniority in the prescribed format. Indian Airlines Officers' Association, Indian Airlines Cabin Crew, Shri U.K. Bhowmick and Vayudoot Karamchari Sangh challenged the said Notification dated 05.02.2001 by filing Writ Petition in the High Court of Delhi. Ld. single Judge of Hon'ble Delhi High Court, on 21.05.2004, by a common order, set aside the above notifications and directed Union of India to reframe the seniority policy of the cadre by reassessing and determining the equation of

post by taking into consideration the four guiding factors laid down by the Hon'ble Supreme Court in State of Maharashtra *vs.* Chandrakant Anant Kulkarni (1981 4 SSC 130).

Indian Airlines challenged the said Judgement of Ld. single Judge by way of filing LPA 646-649/2004 on the ground that the judgement passed in the matter of State of Maharashtra *vs*. Chandrakant Anant Kulkarni and relied upon by the Ld. single Judge was not applicable in this case as said judgement was laying down the law relating to integration of government servants allotted to the services of the new States and was clearly distinguishable. Ld. Division Bench of Hon'ble High Court, on 08.02.2006, allowed the Appeals filed by Indian Airlines and set aside the Judgement dated 21.05.2004. It may, however, be mentioned that, subsequently, Indian Airlines Officers' Association, Cabin Crew Association and Vayudoot Karamchari Sangh approached Hon'ble Supreme Court by way of filing SLPs. The Hon'ble Supreme Court after hearing the arguments of all the parties in detail, dismissed the said SLPs."

2.8 On being asked to state the total number of employees of SHOD when it was decided to merge their seniority with Indian Airlines Limited, the Ministry stated as under:—

"There were a total of 958 employees in SHOD (including 26 Pilots and 25 Engineers whose seniority was to be merged at the bottom of induction level on obtaining requisite licences on erstwhile IAL fleet) when it was decided in principle to merge the seniority of SHOD employees into the mainstream of Indian Airlines Limited in the year 2001. A majority of these employees exercised their option for merger of seniority into the mainstream of erstwhile IAL. In the year 2006, only 32 employees remained in SHOD who had not opted for merger into the mainstream of IAL. However, it was decided to merge their seniority in the mainstream effective from 1st June, 2006. As on date, there are only 03 Aircraft Maintenance Engineers of erstwhile Vayudoot Limited left whose seniority has not been merged into the mainstream as they are in the process of acquiring the requisite licences."

2.9 About the request of the 32 employees of SHOD to merge their seniority with the employees of Indian Airlines Limited from 01.06.2006 instead of from 10.03.1998, the Ministry stated as under:—

"These employees have been time and again taking up the issue individually as well as collectively, in person and through representations, through various forums including the Ministry of Civil Aviation which have been examined and replied to from time-to-time."

2.10 Thereafter, the Committee took oral evidence of the Ministry of Civil Aviation on 22.08.2008. Explaining the genesis of the case, the representative of the Ministry during oral evidence stated as under:—

"When the decision of merger was taken, some people from the Association went to the High Court. They based the notification on an earlier Judgement of the

Supreme Court. That Judgement, actually, did not apply in this context. Quoting this, we went to the Division Bench and the Division Bench accepted our stand. They then went to the Supreme Court against this and the Supreme Court upheld that. Now the situation is that, the employees who has been merged between the year 1980 and 2008, have also been promoted with the passage of time. They are placed at different places. Now, it is not possible to include the seniority of those 32 employees with them. If we try to do so, litigation will arise as we will be working against the Judgement of the Supreme Court."

2.11 About fixation of seniority of 32 SHOD employees, the representative of the Ministry during oral evidence stated as under:—

"As per the judgement and policy, it will be implemented from 1998 in respect of only those who have opted for voluntary retirement."

The witness further stated:—

"They were offered three opportunities, but they refused it every time. When they had refused we could not have merged them by force. When Indian Airlines was to be merged with Air India."

2.12 On being asked to re-consider the request for re-fixation of seniority of 32 SHOD employees, the representative of the Ministry during oral evidence stated as under:—

"We shall consider it once again. In order to give justice to 32 employees, we should not deliver injustice to 900 people."

The witness further stated:—

"We will examine it, but it should not lead to further anomalous situation. Those who had opted for 1998, they would have gone higher and so where do we put them now? It is an issue, but still considering the feelings of the Committee we will definitely examine it."

2.13 In their subsequent communication dated 15.01.2009, the Ministry of Civil Aviation informed as under:—

"The issue of merger of seniority of remaining 32 SHOD employees into main stream of erstwhile Indian Airlines retrospectively at par with those who volunteered for merger has been re-examined by NACIL and their comments are as under:—

"The request of employees who decided not to opt for merger in the mainstream of Indian Airlines, to allow seniority at this stage at par with whose who volunteered for merger does not appear feasible in view of the consequences that is likely to follow, besides being contrary to the policy decision of the Government of India upheld by the Apex Court of the Country. Employees who chose to remain in SHOD and did not exercise their option to merge despite repeated opportunities being provided cannot, therefore, claim benefit

of the judgement of the Supreme Court and in case such a request is allowed at this stage, the same would lead to an anomalous situation by which the said employees would end up being senior to those employees of SHOD who had opted for merger pursuant to the notification dated 05.02.2001 and who had put in the required length of service as per rules existing in Indian Airlines for the promotion.

Suggestion to merge these employees, who by choice remained in SHOD, in the main stream by placing them below the last erstwhile SHOD who had opted for merger in a particular cadre also upon evaluation seems to be inequitable as this will result in different dates for determination of seniority in different cadres depending upon the last SHOD employee merged in that cadre leading to creation of disparity *vis-à-vis* the main stream employees (*i.e.* those of Indian Airlines as welll as those of SHOD in the merged seniority of the main stream) who are below the last SHOD employee merged in a particular cadre. In view of the position stated above, NACIL is of the view that it is not possible for them to accede to the request made by the representationists at this stage *i.e.* to merge their seniority into the main stream of the Company retrospectively *w.e.f.* 10.03.1988."

Observations/Recommendations

2.14 The petitioner, an employee of Short Haul Operation Department (SHOD), in his representation stated that the Ministry of Civil Aviation issued a Notification on 25 May 1993 merging Vayudoot Limited with Indian Airlines Limited (IAL). Thereafter, the Ministry created a separate department namely Short Haul Operation Department (SHOD) *vide* Office Order No.MD-94/194 dated 24 May, 1994. For career progression the employees of SHOD represented to the management of Indian Airlines Limited/Ministry of Civil Aviation. Accordingly, a meeting was held in 1998 wherein it was decided that the seniority of SHOD employees may be merged with Indian Airlines employees on voluntary basis from 10 March 1998. A notification to this effect was issued inviting options from non-technical categories of SHOD employees. In response to the notification, most of the SHOD employees opted to merge with Indian Airlines Limited, while some employees sought clarifications before giving option for merger of seniority. According to the petitioner, as no satisfactory reply was given to them, such employees did not exercise their option for merger of seniority with Indian Airlines. Subsequently, Indian Airlines issued a notification on 13 July 2006 forcibly merging the seniority of the remaining SHOD employees with IAL from 1 June 2006. The petitioner also stated that the SHOD employees, who did not voluntarily exercise their option for merger of seniority with Indian Airlines Limited from 10 March 1998, have not been given time bound promotion (Grade 9) in SHOD.

According to the petitioner, the compulsory merger of seniority has ruined their career. The merger of seniority from 1 June 2006 is arbitrary, unfair, unjust and without any basis. The petitioner therefore requested that the seniority of the remaining SHOD employees may be merged with the Indian Airlines Limited from 10 March 1998 instead of from 1 June 2006.

2.15 The Ministry of Civil Aviation in their reply informed the Committee that a meeting was held on 10 March 1998 wherein it was decided in principle to merge the seniority of SHOD employees with IAL on voluntary basis. Certain modalities were decided in respect of various categories of employees of SHOD and it was decided to complete the exercise in a time bound manner. Accordingly, a notification was issued on 5 February 2001, inviting options from non-technical categories of SHOD employees (including Executives and Officers) to exercise their options for merger of seniority with IAL at the bottom of the relevant pay scale as on 10 March 1998. It was specifically mentioned that employees who opt to remain in SHOD shall forfeit all claims for merger. They will be retained in SHOD and offered time bound promotions. According to the Ministry, majority of the SHOD employees exercised their options for merger of seniority while some employees sought certain clarifications. The clarifications were given through notification dated 23 March 2001 giving another opportunity to the employees to exercise their options. Subsequently, in the month of July/August 2001, the merged seniority lists were displayed at the headquarters and all regions of Indian Airlines Limited. Even then, a substantial number of employees were still left or had exercised their option after the last date was over. These employees were given further opportunity to do so by 15 September 2001. Thereafter, a general notification was issued by the Regions informing these employees that since they had not opted for merger even after having been given ample opportunities and had opted to remain in SHOD, they have forfeited their claim for merger of seniority and will continue in SHOD. While, retaining them in SHOD, they were considered for time-bound promotion wherever applicable.

2.16 The Committee have also been informed that representations were subsequently received from various employees of all cadres of SHOD who had not opted for merger on earlier occasions requesting for merger of their seniority. A reference was made to the Legal Advisor of the company seeking his opinion that since only 37 employees were left in SHOD, whether Indian Airlines can *suo moto* merge their seniority by placing them at the bottom of the respective grade/pay scales as was done in other cases. The same was, however, subject to the outcome of LPA No.647-649 filed by Indian Airlines. The matter was again examined in June 2006 and it was decided to *suo moto* merge the seniority of the remaining SHOD employees with IAL from 1 June 2006 by placing them at the bottom of the seniority of the respective cadre/scale of pay. Instructions were accordingly issued on 13 July 2006. However, these employees submitted representations requesting for merger of their seniority from 10 March 1998. The Ministry further stated that the matter was again examined and keeping in view the decision of Hon'ble Supreme Court of India, the same was once again referred to their Legal Advisor, who opined that allowing merger of seniority retrospectively of SHOD employees who did not opt for merger pursuant to the notification dated 5 February 2001, would lead to anomalous situation and would create disparity *vis-à-vis* mainstream employees, which now consists of employees of Indian Airlines and SHOD who opted for merger. The Ministry, therefore, stated that it is not possible for NACIL (erstwhile Indian Airlines) to consider merger of seniority of remaining SHOD employees from 10 March 1998.

2.17 The Committee find that there were 958 employees in SHOD (including 26 Pilots and 25 Engineers) when it was decided in 2001 to merge the seniority of SHOD employees with Indian Airlines. In the year 2006 only 32 employees remained in SHOD. The Ministry decided to *suo moto* merge their seniority from 1 June 2006 and issued a notification on 13 July 2006. Aggrieved by the decision of the Ministry to compulsorily merge their seniority from 1 June 2006, these employees have represented that their seniority may be merged from 10 March 1998. In their representation, the main emphasis of these employees is as to why the Indian Airlines management did not merge their seniority from 10 March 1998, if at all it was to be done compulsorily.

2.18 The Committee observe that the decision of the Ministry of Civil Aviation to *suo moto* merge the seniority of 32 SHOD employees from 1 June 2006 suffers from certain deficiencies. Firstly, the Ministry has not specified the basis for compulsory merger of remaining SHOD employees from 1 June 2006. Secondly, before issuing the above notification on 13 July 2006, the Ministry should have given an opportunity to such employees before *suo moto* merger of seniority from 1 June 2006. Thirdly, the Ministry relied on the advise of their Legal Advisor on *suo moto* merger of remaining SHOD employees instead of seeking the opinion of Department of Personnel & Training/Ministry of Law on this aspect. The Committee are unable to find the relevance of 1 June 2006 for *suo moto* merger of seniority of 32 employees of SHOD with Indian Airlines.

2.19 The Committee further note that the notification dated 5 February 2001, issued by the Ministry of Civil Aviation regarding merger of seniority of SHOD employees with erstwhile Indian Airlines, was challenged by Indian Airlines Officers' Association, Indian Airlines Cabin Crew and Vayudoot Karamchari Sangh in the High Court of Delhi. The Learned Single Judge of Hon'ble High Court on 21 May 2004 by a common order set aside the above notification and directed the Union of India to reframe the seniority policy of the cadre by re-assessing and determining the equation of post by taking into consideration the four guiding factors laid down by the Hon'ble Supreme Court in the matter of the State of Maharashtra *Vs.* Chandrakant Anant Kulkarni. Indian Airlines challenged the said judgement of Learned Single Judge in the matter on the ground that the judgement of the Supreme Court was not applicable in the case as the said judgement had laid down the law relating to integration of Government servants allotted to the services of the new States and was clearly distinguishable. The Division Bench of Hon'ble High Court, on 8 February 2006, allowed the appeals filed by Indian Airlines and set aside the judgement of the Learned Single Judge dated 21 May 2004. Subsequently, Indian Airlines Officers' Association, Cabin Crew Association and Vayudoot Karamchari Sangh approached Hon'ble Supreme Court by way of filing SLPs. The Hon'ble Supreme Court after hearing the arguments of all parties dismissed the said SLPs. In its judgement, the Hon'ble Supreme Court observed that the Division Bench of the High Court was right in reversing the judgement of the Learned single Judge.

2.20 The Ministry of Civil Aviation has been repeatedly emphasizing that it was not possible for National Aviation Company of India Limited (erstwhile Indian Airlines) to consider merger of 32 SHOD employees from 10 March 1998 in view of the

judgement of the Hon'ble Supreme Court of India. In the opinion of the Committee, the interpretation of the Supreme Court judgement by the Ministry is not completely correct. The Supreme Court in its judgement has decided the cut off date of merger of SHOD employees with erstwhile Indian Airlines from 10 March 1998 instead of 1993/1994 being requested by the employees. The Committee, therefore do not agree to the insistence of the Ministry of Civil Aviation and officials of NACIL to harp upon the position that it was not possible to accept the demand of the employees. The Committee are of the view that the judgement of the Supreme Court is in no way contrary to the request of the employees who were prepared to accept their merger from 10 March 1998 instead of 1993/1994. The Committee express their displeasure at the mis-interpretation which meant avoidable hardship and mental agony to the employees.

2.21 The Committee are of the opinion that when the notification dated 5 February 2001 was quashed by the Single Judge of High Court, the Ministry should have circulated the judgement to all the employees of SHOD as well as Indian Airlines. In the opinion of the Committee when the notification is quashed, the entire exercise of merger becomes redundant. However, the Division Bench of the High Court on 8 February 2006 set aside the judgement dated 21 May 2004 of the single Judge. At that point also, the Ministry should have circulated the orders of the Division Bench of the High Court informing the SHOD employees as well as the employees of Indian Airlines. The Committee feel that at this point, an opportunity should have been given to the remaining SHOD employees to exercise their option for merger of seniority. However, the Ministry neither circulated the orders of the Single Judge nor those of the Division Bench of the High Court. In the opinion of the Committee, the Ministry of Civil Aviation has not appropriately followed the administrative procedure in the matter. Therefore, the Committee desire that the whole issue of *inter se* seniority of the 32 SHOD employees may be re-examined in the light of the judgement of Division Bench of High Court dated 8 February 2006 and another opportunity may be given to these employees to exercise their option for merger of *inter se* seniority with the Indian Airlines.

NEW DELHI;
24 *February*, 2009
5 *Phalguna*, 1930 (*Saka*)

SYED SHAHNAWAZ HUSSAIN,
Chairman,
Committee on Petitions.

ANNEXURE-I

LOK SABHA

PETITION NO. 12

(Presented to Lok Sabha on 04.08.2006)

To

Lok Sabha
New Delhi

The humble petition of Shri Anish J. Mitra, General Secretary and others, All Indian Alliance Air Employees Union, House No.802, Pkt.-I, Sec. 14, Dwarka, New Delhi-75)

SHEWETH

The petitioners are employees of Alliance Air Ltd., a wholly owned subsidiary of Indian Airlines Ltd. The Company started Air Services in April 1996 or about by operating 12 Boeing-737 aircraft. Initially the Alliance Air had total of 83 contractual staff and officers deputed by Indian Airlines. It also started employing Casual Labours in various Airports in India to which Alliance Air was operating. Thus, we submit that the entire work force consisted of deputationist from Indian Airlines, Contract Workers and Casual Labours. As of now the Contractual Workers employed by the Alliance Air numbers about 800 or more (excluding 250 Casual Labour appointed through private contractors).

We submit that Alliance air being a public sector company has to abide by the Principles laid down in the constitution of India, and is duty bound to follow the labour laws of the country. It should be conducting business in equitable, with justice and fair play, not only in its operations but also to the employees. The Alliance Air contrary to the above continues to employ Contractual Workers and Casuals to carry out job, which are permanent and perennial in nature.

We say that recently several Private Airlines have started operation in domestic sector. Due to severe shortage of Pilots the private airlines are weaning away the Pilots and other technical personnel. Added to this the aircrafts in operation in Alliance Air are ageing and almost outlived their lives. If urgent steps are not taken to augment the fleet of Alliance Air, it is bound to loose its market and ultimately will fold up. In the absence of serious decisions, the livelihood of around 800 employees and their families will be peril. We therefore pray to your good office's to prevail upon the Ministry of Civil Aviation and Management of Indian Airlines/Alliance Air to initiate urgent steps to augment the fleet.

We say and submit the qualification and experience of the employees of Alliance Air do compare equality with other Airlines. We pray that our employment be made Permanent with all admissible pay and allowances. We say that we have been working continuously with Alliance Air without any single day break. We say that the contractual working with Alliance Air are down from the lowest strata of the society and the Government is duty bound to initiate steps towards their upliftment.

The petitioners pray that:—

1. We be treated as permanent employees of Alliance Air.
2. the Alliance Air being a Public Sector Unit be directed to abolish Contract Labour System and casual employment in jobs which are permanent and perennial in nature.
3. The Civil Aviation Ministry be instructed to take steps on induction of new fleet and provide for requisite number of Pilots and technical personnel.
4. The pay and allowances and perquisites (like medical etc.) of employees of Alliance Air to be at parity with Indian Airlines being a 100% subsidiary company.
5. Recognition of the union.

And your petitioner as in duty bound shall ever pray.

Sl. No.	Name	Address	Signature
1.	Shri Anish J. Mitra Alliance Air Employees Union, House No.802, Pkt.-I, Sec.-14, Dwarka, New Delhi.	General Secretary, All Indian	Sd/-

Countersigned by Shri Basudeb Acharia, MP.

ANNEXURE-II

AVERAGE SALARY WITHOUT PLI FOR THE EMPLOYEES OF NACIL E/W INDIAN AIRLINES LTD. FOR THE MONTH OF APRIL, 2008

E/W Grade	Designation	Pay scales	Gross Salary Range without PLI		Average Salary
			Min.	Max.	
1	2	3		4	
	General Category Staff (ACEU-Non-Technical)				
9	Supdts, Conf. Steno, Ch. Pharmacist, Ch. Draughtsman etc. (SG)	7850-175-8725-275-11200-300-12100	18738	27637	23188
7/8	Supdts, Conf. Steno, Ch. Pharmacist, Ch. Draughtsman	7500-175-8725-275-11200	18005	25753	21879
3/6	Sr. Asstt. Steno, Draughtsman, Pharmacist etc. (SG)	7095-135-7500-175-8725-275-10375	17057	23925	20491
3/6	Asstt., Steno, Draughtsman, Pharmacist	5720-100-6420-135-7500-175-8200	14078	19371	16725
New intro	Chief Operator	7850-175-8725-275-11200-300-12100	19178	23077	23628
	Senior Operator	7500-175-8725-275-11200	18445	26193	22319
	Operator	6555-135-7500-175-8725-275-10375	16366	24365	20366
	Junior Operator	6420-135-7500-175-8725	15933	20860	18397
½ Sr. Hd.	Senior Driver	6420-135-7500-175-8725	15933	20860	18397
½ Hd.	Driver	5720-100-6420-135-7500-175-8200	14488	19761	17115
New intro	Sr. chief (Peon, helper, safaiwala etc.)	7095-135-7500-175-8725-275-10375	17147	24015	20581
½ Chief	Chief Category (Peon, helper, safaiwala etc.)	6555-135-7500-175-8725-275-10375	15818	23815	19818
½ Sr. Hd.	Sr. Head Category (Peon, helper, safaiwala etc.)	6420-135-7500-175-8725	15433	20360	17897
½ Hd.	Head Category (Peon, helper, safaiwala etc.)	5720-100-6420-135-7500-175-8200	13968	18261	16615
½ Sr.	Sr. Category (Peon, helper, safaiwala etc.)	5720-100-6420-135-7500	13988	17795	15882

1	2	3	4		
1/2	Jr. Category (Peon, helper, safaiwala etc.)	5200-70-5270-75-5720-100-6420-135-6690	12804	16099	14452
		Technicians Auto (ACEU)			
Chief Foreman		12400-300-13600-350-16400	29006	37382	33194
Sr. Foreman		11200-300-13600-350-15350	25358	34048	29703
Chief Technician		10100-275-11200-300-13600-350-15000	22554	32815	27685
Sr. Mast. Technician		9000-275-11200-300-13600-350-14300	20071	31189	25820
Master Technician		7675-175-8725-275-11200-30-11800	17286	25924	21605
Sr. Technician		7500-175-8725-275-11200	18920	24668	20794
Technician		6555-135-7500-175-8725-275-10375	14841	22840	18841
		Technical Staff (ACEU)			
Master Technician (Elec.)		7675-175-8725-275-11200-30-11800	17086	25724	21405
Carpenter, Tailor, Plumber, Mason Sr. Tech. (Elec.), etc.		7500-175-8725-275-11200	16720	24468	20594
Carpenter, Tailor, Plumber, Mason, Tech. (Elec.) etc.		6555-135-7500-175-8725-275-10375	14741	22740	18741
Carpenter, Tailor, Plumber, Mason, etc.		6220-160-6420-135-7500-175-8725-275-10375	13940	22740	18340
		General Cadre Officer (IAOA)) and their executives			
19A	Executive Director	23750-600-28550	61983	72034	67009
18	General Manager	20500-500-26500	53877	66441	60159
17	Dy. General Manager	18700-400-20700-450-22950	48878	57777	53328
16A	Chief Manager	16750-350-17100-400-20700	43840	52111	47976
16	Sr. Manager	16050-350-17100-400-19900	40414	48476	44445
15	Manager	15350-350-17100-400-19100	35988	43840	39914
13/14	Dy. Manager	12400-300-13600-350-16400	28591	36967	32779
10/12	Asst. Manager	10100-275-11200-300-13800-350-15000	23014	33275	28145
9A	Officers	9000-275-11200-300-13600-350-14300	20236	31334	25785

		Pilots (ICPA) and their executives			
19A	Executive Director	23750-600-28550	62834	72885	87860
18	General Manager	20500-500-26500	55728	68292	62010
17	Dy. General Manager	18700-400-20700-450-22950	51604	60503	56054
16A	Commander (Pay under revision)	7550-225-7775-250-8025-275-9875 (pre-revised)	48782	50570	48676
15A	Captain (Pay under revision)	6950-200-7550-225-7775-250-8025-275-8575 (pre-revised)	32342	34758	33549
13A	First Officer (Pay under revision)	6200-175-6550-200-7550-225-7775-250-8025 (pre-revised)	28465	30939	29702
		Cabin Crew (ACEU), In-flight services officers and managers			
15	Managers (on ground)	15350-350-17100-400-19100	35415	43238	39327
13/14	Dy. Managers	12400-300-13600-350-16400	27891	36267	32079
10/12	Asstts. Managers	10100-275-11200-300-13600-350-15000	22874	32935	27805
9A	In-flight Officers	9000-275-11200-300-13600-350-14300	20066	31164	25615
9	Chief Cabin Crew	8200-175-8725-275-11200-300-13000	19431	29482	24457
7/8	Dy. Chief Cabin Crew	7500-175-8725-275-11200-300-11500	18065	28541	22303
3/6	Sr. Cabin Crew	7095-135-7500-175-8725-275-10375	17117	24085	20601
3/6	Cabin Crew	5720-100-6420-135-7500-175-8200	14138	19531	16835
		Flight Engineers (IFEA)			
15	Sr. Flight Engineer	15350-350-17100-400-19100	42858	50710	46784
13/14	Flight Engineer	12400-300-13600-350-16400	35671	44047	39859
		Flight Dispatchers (APO & FOOA) and their executives			
19A	Executive Director	23750-600-28550	62283	72334	67309
18	General Manager	20500-500-26500	54177	66741	60459
17	Dy. General Manager	18700-400-20700-450-22950	49053	57952	53503

1	2	3	4		
16A	Chief Manager	16750-350-17100-400-20700	44015	52286	48151
16	Sr. Manager	16050-350-17100-400-19900	40589	48651	44620
15	Manager (pay under revision)	7150-200-7550-225-7775-250-8025-275-8850 (pre-revised)	22223	24896	23480
13/14	Dy. Manager (pay under revision)	6750-200-7550-225-7775-250-8025-275-8575 (pre-revised)	20573	22876	21725
10/12	Asst. Manager (pay under revision)	5875-175-8550-200-7550-225-7775-250-8025 (pre-revised)	17558	21013	19285
9A	Ground Ops. Officers (pay under revision)	4975-175-6550-200-7650 (pre-revised)	15809	20438	18124
	Ground Instructors (AGIA) and their Executives				
17	Dy. General Manager	18700-400-20700-450-22950	49473	58372	53923
16A	Chief Manager	16750-350-17100-400-20700	44435	52706	48571
16	Sr. Manager	16050-350-17100-400-19900	41009	49071	45040
15	Manager (Pay under revision)	7150-200-7550-225-7775-250-8025-275-8850 (Pre-revised)	22843	25118	23880
13/14	Deputy Manager (Pay under revision)	6750-200-7550-225-7775-250-8025-275-8575 (Pre-revised)	20888	23171	22020
	Aircraft Maintenance Engineers (AIAEA) and their Executives				
19 A	Executive Director	23750-600-28550	66463	76514	71489
18	General Manager	20500-500-26500	58357	70921	64639
17	Deputy General Manager	18700-400-20700-450-22950	53233	62132	57883
16 A	Chief Manger	18750-350-17100-400-20700	48195	56466	52331
New intro	Ch. Aircraft Engineer	16400-350-17100-400-20300	43058	51824	47441
16	Dy. Ch. Aircraft Engineer	16050-350-17100-400-19900	41169	49831	45500
15	Sr. Aircraft Engineer	15350-350-17100-400-19100	37843	46095	41969
13/14	Aircraft Engineers	12400-300-13600-350-16400	28811	38587	34199

10/12	Dy. Aircraft Engineer	10100-275-11200-300-13600-350-15000	22624	32885	27755
9 A	Asstt. Aircraft Engineer	9000-275-11200-300-13600-350-14300	20201	31299	25750
	Support Service Engineers and their Executives				
19 A	Executive Director	23750-600-28550	63963	75014	69489
18	General Manager	20500-500-26500	55857	69421	62639
17	Deputy General Manager	18700-400-20700-450-22950	50739	60632	55683
16 A	Chief Manger	16750-350-17100-400-20700	45695	54986	50331
16	Sr. Manager	16050-350-17100-400-19900	34484	42526	38495
15	Sr. Engineer	15350-350-17100-400-19100	37793	46095	41944
13/14	Engineer	12400-300-13600-350-16400	29561	37937	33749
10/12	Dy. Engineer	10100-275-11200-300-13600-350-15000	23124	33385	28255
9 A	Asst. Engineer	9000-275-11200-300-13600-350-14300	20396	31484	25945
	Aircraft Technicians IATA				
	Chief Foreman	12400-300-13600-360-18400	29006	37382	33194
	Sir. Foreman	11200-300-13600-350-15350	25358	34048	29709
	Inspector ‘A’/Chief Technician	10100-275-11200-300-13600-350-15000	22779	33040	27910
	Sir. Mast. Technician/Inspector/Foreman	9000-275-11200-300-13600-350-14300	20078	31174	25825
	Master Technician	7675-175-8725-275-11200-30-11800	17288	25924	21805
	Sr. Technician	7500-175-8725-275-11200	16820	24568	20894
	Technician	6555-135-7500-175-8725-275-10375	14841	22840	18841

ANNEXURE - III

SALARY STRUCTURE OF CRJ PILOTS

	COMMANDER	FIRST OFFICER
BASIC	30000	20800
GROSS EARNINGS	126800	57741

In addition to the above Gross they are also paid Flying Allowance, Executive Flying Allowance, Petrol Allowance, IR/LR/Refresher allowance plus PL encashment on quarterly basis subject to maximum of 30 days a year.

SALARY STRUCTURE OF ATR PILOTS

	CHIEF PILOT	FLEET SUP.	SR. CAPT.	F.O.
BASIC	40000	30000	25000	16000
GROSS EARNINGS	177400	102860	69960	44397

In addition to the above Gross they are also paid Flying Allowance, Executive Flying Allowance, Petrol Allowance. IR/LR/Refresher allowance – plus PL encashment on quarterly basis subject to maximum of 30 days a year.

SALARY STRUCTURE OF CABIN CREW AT MINIMUM OF SCALE

PARTICULARS	CABIN CREW
BASIC PAY	4000
GROSS EARNINGS	8900

In addition to the above Gross they are paid flying allowance and Landing Allowance.

SALARY STRUCTURE OF BOEING- PILOTS

	CHIEF PILOT	FLEET CAPT.	FLEET SUP.	SR. CAPT.	SR. F. O.	F.O.
BASIC	40000	35000	30000	25000	20800	20800
GROSS EARNINGS	197400	124660	156800	130300	72741	72741

In addition to the above Gross they are also paid Flying Allowance, Executive Flying Allowance, Petrol Allowance. IR/LR/Refresher Allowance – plus PL encashment on quarterly basis subject to maximum of 30 days a year.

SALARY STRUCTURE OF GROUND STAFF AT MINIMUM OF SCALE

Particulars	Asst. Sip.	Asst.	Sup. (Ops/ Tech.)	Sup. (Ops/ Tech.)	Officer	Officer (Ops/ Tech.)	Flight Dis- patcher	Sr. Officer	Sr. Officer (OPS/Tech)	Sr. Flight Despatcher	Dy. Manager	Manager
BASIC PAY	2750	2750	3750	3750	4750	4750	4750	6000	6000	6000	6750	7500
GROSS EARNINGS	6078	7078	8126	9125	9005	12255	35255	12385	14964	38880	16015	17413

In addition to the above Gross the Flight Dispatchers are paid licence allowance, RT allowance and the Chiefs are paid petrol allowance and Driver Salary.

SALARY STRUCTURE OF TECHNICIANS

	TECH.	SR. TECH.-I	SR. TECH.-II
BASIC	4175	5000	6000
GROSS EARNINGS	10428	20700	26350

SALARY STRUCTURE OF ENGINEERS

	SR. AME.	AME.	DY. AME
BASIC	25000	13000	7000
GROSS EARNING	36000	19150	36250

In addition to the above gross the Sr. AME/AME are paid productivity linked incentive and licence allowance the Dy. AME are paid daily incidental allowance and conveyance allowance on the duties performed.

ANNEXURE-IV

AIRLINE ALLIED SERVICES LIMITED

(A wholly owned subsidiary of NACIL)

Category-wise break-up of employees on Contract as on 1st August, 2008

S.No	Category		No.
1.	Pilots	P1	49
		P2	34
		Trainee Pilot	14
2.	Cabin Crew		155
3.	Operations Department (Flt. Desp., Ops., TT&M, FCS, FS)		35
4.	License Engineers/AME/Dy. AME		119
5.	AME Trainee		13
6.	Technicians		71
7.	Supervisory Non-Technical Staff		175
8.	Comm. Staff at HYD		17
9.	Security Attendants		39
	Grand Total		721

The summary includes 42 Ex-Pat Pilots (Boeing ATR & CRJ)

AIRLINE ALLIED SERVICES LIMITED

(A wholly owned subsidiary of Indian Airlines Limited)

Function-wise/Category-wise break-up of employees as on 01.08.2006

S.No.	Category		Total
1.	Pilots	P1	21
		P2	22
		Trainee Pilot	5
2.	Cabin Crew		193
3.	Operations Dept. (Flt. Desp., Ops., TT&M, FCS, FS)		45
4.	Licensed Engineers/AME		59
5.	AME Trainee		23
6.	Technicians		66
7.	Others		204
8.	Comm. Staff at HYD		21
9.	Security Attendants		45
	Grand Total		704

ANNEXURE-V

AIRLINE ALLIED SERVICES LIMITED

(A wholly owned subsidiary of Indian Airlines Limited)

Function-wise/Category-wise break-up of employees as on 01.08.2007

S.No.	Category		Total
1.	Pilots	P1	28
		P2	23
		Trainee Pilot	34
2.	Cabin Crew		174
3.	Operations Dept. (Flt Desp., Ops., TT&M, FCS, FS)		38
4.	Licensed Engineers/AME/Dy. AME		71
5.	AME Trainee		25
6.	Technicians		72
7.	Supervisory*		
	Non-Technical Staff		186
8.	Comm. Staff at HYD		20
9.	Security Attendants		42
	Grand Total		704

*The Summary includes 18 Ex-Pat Pilots.

AIRLINE ALLIED SERVICES LIMITED

(A wholly owned subsidiary of NACIL)

Category-wise break-up of persons in AASL as on 01.08.2008

S.No.	Category		No. of Employees on Fixed term employment Agreement	No. of Employees on Deputation from NACIL	No. of Persons provided by Service Provider
1.	Pilots	P1	49		
		P2	34	9	
		Trainee Pilot	14		
2.	Cabin Crew		155		
3.	Operations Deptt. (Flt. Desp., Ops., TT&M, FCS, FS)		35		
4.	Licensed Engg./AME, Dy. AME		119		
5.	AME Trainee		13		
6.	Technicians		71		
7.	Supervisory Non-Technical Staff		175	30	
8.	Comm. Staff At HYD		17		
9.	Security Attendants		39		
10.	Utility Hands/Drivers/Security/Guards, etc.		195		
	Total		721	39	195

ANNEXURE-VI

MINUTES OF THE NINETY THIRD SITTING OF THE COMMITTEE ON PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Friday, the 22nd August, 2008 from 1400 hours to 1500 hours in Committee Room No. 53, Parliament House, New Delhi. In the absence of Chairman, the Committee chose Shri Anant Gangaram Geete to act as Chairman for the sitting under Rule 258 (3) of the Rules of Procedure and Conduct of Business in Lok Sabha.

PRESENT

Shri Anant Gangaram Geete — *In the Chair*

MEMBERS

2. Shri Manikrao Hodlya Gavit
3. Shri Mohan Jena
4. Adv. Suresh Kurup
5. Shri Dharmendra Pradhan
6. Shri Kishan Singh Sangwan
7. Shri Francisco Sardinha
8. Shri Mansukhbai Dhanjibhai Vasava
9. Shri Paras Nath Yadav

SECRETARIAT

1. Shri P.K. Grover — *Joint Secretary*
2. Shri A.K. Singh — *Director*
3. Shri U.B.S. Negi — *Deputy Secretary*
4. Shri H. R. Kamboj — *Deputy Secretary*-II

Ministry of Civil Aviation

1.	Smt. Vilasini Ramachandran	Additional Secretary & Financial Adviser
2.	Shri Arun Mishra	Joint Secretary
3.	Shri K. Ramalingam	Chairman, AAI
4.	Shri Anup Srivastava	Director (Pers.) NACIL
5.	Shri Sunil Khan	Coo (AASL) NACIL
6.	Shri V.P. Agrawal	Member, AAI
7.	Shri M.C. Kishore	ED (CA & Secy.) AAI
8.	Shri Sandeep Prakash	Director
9.	Ms. Abha Shukla	Director
10.	Shri D.S. Gakhar	ED (Fin. & Pers.), Alliance Air

2. The discussion commenced with the Chairman welcoming the Members and Officials of the Ministry of Civil Aviation to the sitting of the Committee. Thereafter, the Committee took oral evidence of the representatives of the Ministry of Civil Aviation on

the representations under examination of the Committee. The officials then briefed the Committee about the background and other relevant facts relating to the subject matter. The important points, which emerged from the discussion, are summarised as under:

I. *Petition presented by Shri Basudeb Acharia, MP, Lok Sabha of Shri Anish J. Mitra, General-Secretary, All India Alliance Air Employees Union and others regarding their grievances concerning employment.*

(i) Engagement of employees on contract basis in Alliance Air to ensure flexibility of manpower.

(ii) Reasons for different pay structure, emoluments, and other facilities between the employees of Indian Airlines and Alliance Air.

(iii) NACIL to take a decision on the question of permanent absorption of employees appointed on contract basis in Alliance Air.

(iv) The request of the employees for recognition of Union in Alliance Air to be considered.

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III. *Representation from Shri Amit J. Sharma, NACIL, IGIA Terminal I, New Delhi regarding fixation of inter-se seniority.*

(i) Creation of new department, namely Short Haul Operation Department, consequent on merger of Vayudoot with Indian Airlines.

(ii) Exercise of option by the employees for merger of their seniority with Indian Airlines.

(iii) Fixation of seniority from March 1998 based on options exercised by the employees. The remaining persons who did not opt despite getting three opportunities were finally merged and their seniority fixed from June 2006.

(iv) Request of the petitioner to fix the seniority of employees from 1998 instead of from 2006.

(v) Supreme Court upheld the validity of the notification regarding merger of Vayudoot with Indian Airlines. A copy of the judgement delivered by Supreme Court would be supplied to the Committee.

(vi) Difficulty in re-fixing the seniority retrospectively as persons who had exercised their option in 1998 had since been promoted. Hence, seniority of employees who exercised their options in 2006, could not be placed from 1998 as it would involve legal complications.

(vii) Request of the petitioner for fixation of seniority from 1998 to be reconsidered.

(viii) Ministry to inquire into the matter regarding wilful absence of an official of the Ministry from attending the sitting of the Committee at Puri.

The Committee then adjourned.

ANNEXURE-VII

MINUTES OF THE ONE HUNDRED AND THIRD SITTING OF THE COMMITTEE ON PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Tuesday, the 24th February, 2009 from 1500 hours to 1530 hours in Chairman's Room No. 45(II) Ground Floor, Parliament House, New Delhi.

PRESENT

Shri Syed Shahnawaz Hussain — *Chairman*

MEMBERS

2. Shri N.S.V. Chitthan
3. Shri Sardinha Francisco
4. Shri Wangyuh W. Konyak
5. Shri C. Kuppusami
6. Adv. Suresh Kurup
7. Shri Dharmendra Pradhan
8. Shri Kishan Singh Sangwan

SECRETARIAT

1. Shri N.K. Sapra — *Additional Secretary*
2. Shri A.K. Singh — *Director*
3. Shri U.B.S. Negi — *Deputy Secretary*
4. Shri V.P. Gupta — *Under Secretary*
5. Shri T.H. Rao — *Under Secretary*
6. Smt. Jagriti Tewatia — *Committee Officer*

2. The Committee considered and adopted the following draft reports of the Committee without any modifications:—

(i) Forty Eighth Report on the following subjects:—

(a) Petition concerning the Ministry of Finance from Shri Gurudas Das Gupta, MP regarding policies of the Banking Sector and related issues.

(b) Representations concerning the Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution).

(ii) Forty Ninth Report on the following Subjects :—

(a) Petition concerning the Ministry of Civil Aviation from Shri Basudeb Acharia, MP regarding grievances of the employees of the Alliance Air concerning their employment etc.

(b) Representation concerning the Ministry of Civil Aviation.

(iii) Fiftieth Report on the representations concerning the Ministries of Petroleum and Natural Gas and Power.

3. The Committee also authorised the Chairman to finalise and present the Reports to the House.

The Committee then adjourned.

GMGIPMRND—1225LS—12-5-2009.